

CHARTER OF THE CITY OF SAN DIEGO

Section 80

1. Original Charter section approved by voters April 7, 1931

Section 80. MONEY REQUIRED TO BE IN TREASURY. No contract, agreement, or other obligation, involving the expenditure of money out of appropriations made by the Council, shall be entered into, nor shall any order for such expenditure be valid unless the Auditor and Comptroller shall first certify to the Council that the money required for such contract, agreement or obligation is in the treasury to the credit of the appropriation from which it is to be drawn and that it is otherwise unencumbered. The certificate of the Auditor and Comptroller shall be filed and made a matter of record in his office and the sum so certified as being in the treasury shall not thereafter be considered unencumbered until the City is discharged from the contract agreement or obligation. All unencumbered moneys actually in the treasury to the credit of the appropriation from which an obligation is to be paid, and all moneys applicable to its payment which before the maturity thereof, are anticipated to come into the treasury to the credit of such appropriation shall, for the purpose of such certificate be deemed in the treasury to the credit of the appropriation from which the obligation is to be paid. The Council may approve a contract subject to a vote of two-thirds of the electors, extending over a period of years for additions to the real estate, water plant, harbor, or other revenue producing utilities, in excess of the estimated revenue of the year, if in the opinion of the Auditor and Comptroller and the Council there will be money available to meet the payments on the contract as they come due. Provided, however, that nothing herein contained shall be construed as authorizing the incurring of indebtedness in excess of that limited by Section 76 of this Article.

2. Amendment voted 06-04-1968; effective 07-22-1968

Section 80: Money Required to Be in Treasury

No contract, agreement, or other obligation, involving the expenditure of money out of appropriations made by the Council in any one fiscal year shall be entered into, nor shall any order for such expenditure be valid unless the Auditor and Comptroller shall first certify to the Council that the money required for such contract, agreement or obligation for such year is in the treasury to the credit of the appropriation from which it is to be drawn and that it is otherwise unencumbered. The certificate of the Auditor and Comptroller shall be filed and made a matter of record in his office and the sum so certified as being in the treasury shall not thereafter be considered unencumbered until the City is discharged from the contract, agreement or obligation. All unencumbered

moneys actually in the treasury to the credit of the appropriation from which a contract, agreement or obligation is to be paid and all moneys applicable to its payment which before the maturity thereof are anticipated to come into the treasury to the credit of such appropriation shall, for the purpose of such certificate, be deemed in the treasury to the credit of the appropriation from which the contract, agreement or obligation is to be paid.

(Effective 07-08-2008, the authority, power, and responsibilities conferred upon the Auditor and Comptroller by this Charter were transferred to the Chief Financial Officer. See section 39.)

3. Amendment voted 06-07-2016; effective 07-18-2016

See current Charter.